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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,208	12/31/2003	Kitahiro Kaneda	03500.013552.1	6674
5514	7590	02/10/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SINGH, RACHNA	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/748,208

Applicant(s)

KANEDA ET AL.

Examiner

Rachna Singh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/31/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Divisional application, filed 12/31/03;
2. Claims 1-24 are pending in the case. Claims 1, 9, and 17 are independent claims.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/322,029, filed on 8/29/99.

Information Disclosure Statement

4. The Information Disclosure Statement filed in the '029 application has been considered.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Onda, US 5,077,811, 12/31/91.

In reference to claims 1, 9, and 17, Onda discloses a character and picture image data processing system in which a plurality of images including pictures and characters are picked up. The orientation of an image is detected and corrected.

Compare to ***“discriminating each image orientation for each of a plurality of input images”***. Onda teaches a means in which a discriminating means is used to detect orientation of a character image to determine whether it is of the correct orientation and a means to correct the orientation via an image rotation means. Compare to ***“correcting each image based on said recognized orientation”***. See column 2, lines 8-31. Onda further discloses recognizing characters in the corrected image that has been rotated. See column 6. Compare to ***“recognizing characters contained in said corrected image”***.

In reference to claims 2, 10, and 18, Onda teaches that the image orientation discrimination step can be detected whenever required. See column 2, lines 14-17.

In reference to claims 3, 11, and 19, Onda teaches that the image orientation means may be provided on a pattern matching method in which a predetermined number of character images may be selected for the detection of the orientation. The character images are sequentially compared with the reference characters to obtain matching data. See column 2, lines 66-68 and column 3.

In reference to claims 4, 12, and 20, Onda discloses a method in which an image is rotated at different orientations and is judged to see if it is the correct orientation. See columns 2 and 4 and figures 2a-2d and 3b.

In reference to claims 5, 7, 13, 15, 21, and 23, Onda teaches detecting the orientation and judging whether it is correct. See columns 2 and 4. Upon judgement of the orientation, the image is corrected before it is output. See figures 3A and 3B.

In reference to claims 6, 14, and 22, Onda's system detects the orientation of character images to determine if it is correct. See abstract.

In reference to claims 8, 16, and 24, Onda discloses a method in which a rotation angle is set. The rotation angle can be in any degrees. See column 5, lines 1-11.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kanno	US Patent 6,084,988	Image Processing Apparatus
Arimoto	US Patent 6,329,979	Image Processing System
Watanabe et al.	US Patent 6,324,554	Character Processing Apparatus
Warmus et al.	US Patent 6,332,149	Imposition Process and Apparatus for Variable Imaging System
Sato	US Patent 5,508,810	Image Recorder for Properly Orienting Output Images

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS

02/04/05



SANJIV SHAH
PRIMARY EXAMINER